

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY  
TRENTON VICINAGE**

MONMOUTH COUNTY,

Plaintiff,

v.

PURDUE PHARMA L.P.; PURDUE  
PHARMA INC.; THE PURDUE FREDERICK  
COMPANY, INC.; TEVA  
PHARMACEUTICAL INDUSTRIES, LTD.;  
TEVA PHARMACEUTICALS USA, INC.;  
CEPHALON, INC.; JOHNSON & JOHNSON;  
JANSSEN PHARMACEUTICALS, INC.;  
ORTHO-MCNEIL-JANSSEN  
PHARMACEUTICALS, INC (n/k/a  
JANSSEN PHARMACEUTICALS, INC.);  
ENDO HEALTH SOLUTIONS INC.;  
ENDO PHARMACEUTICALS, INC.;  
ALLERGAN PLC (f/k/a ACTAVIS PLS);  
ACTAVIS, INC. (f/k/a WATSON  
PHARMACEUTICALS, INC.);  
WATSON LABORATORIES, INC.;  
ACTAVIS LLC; ACTAVIS PHARMA, INC.  
(f/k/a WATSON PHARMA, INC.);  
INSYS THERAPEUTICS, INC.  
MALLINCKRODT PLC; MALLINCKRODT  
LLC; ABBVIE INC.; ABBOTT  
LABORATORIES; ABBVIE PRODUCTS  
LLC (f/k/a SOLVAY PHARMACEUTICALS,  
INC.); AMERISOURCEBERGEN DRUG  
CORPORATION; CARDINAL HEALTH,  
INC.; AND MCKESSON CORPORATION;

Defendants.

Case No.: 3:18-cv-10901

Civil Action

**STIPULATION AND ORDER**

*Document Electronically Filed*

Plaintiff County of Monmouth (“Plaintiff”) and Defendants Purdue Pharma L.P.; Purdue  
Pharma Inc.; The Purdue Frederick Company Inc.; Teva Pharmaceutical Industries, Ltd.;<sup>1</sup> Teva

---

<sup>1</sup> While Plaintiff contends that service has been effectuated and personal jurisdiction lies, Teva Pharmaceutical Industries, Ltd, an Israeli corporation, disputes that it has been served, but joins this stipulation out of an abundance

Pharmaceuticals USA, Inc.; Cephalon, Inc.; Johnson & Johnson; Janssen Pharmaceuticals, Inc.; Ortho-McNeil-Janssen Pharmaceuticals, Inc. n/k/a Janssen Pharmaceuticals, Inc.; Endo Health Solutions Inc.; Endo Pharmaceuticals Inc.; Actavis LLC; Actavis Pharma, Inc. f/k/a Watson Pharma, Inc.; Insys Therapeutics, Inc.; Mallinckrodt plc<sup>2</sup>; Mallinckrodt LLC, AbbVie Inc., Abbott Laboratories; AbbVie Products LLC (f/k/a Solvay Pharmaceuticals, Inc.), (jointly, “Manufacturer Defendants”), by and through the undersigned counsel, hereby submit this Stipulation and Order and state as follows:

**WHEREAS** on May 15, 2018, Plaintiff commenced this action by filing the Complaint in the Superior Court of New Jersey, Middlesex County;

**WHEREAS** on June 21, 2018, McKesson Corporation, with the consent of all properly joined and served defendants removed this case to the United States District Court for the District of New Jersey;

**WHEREAS** on June 22, 2018, this case was identified as a possible tag-along action to the multidistrict litigation in *In re: National Prescription Opiate Litigation*, MDL No. 2804 (N.D. Ohio) (“MDL Proceeding”);

**WHEREAS** on June 27, 2018, this case was conditionally transferred by the Judicial Panel on Multidistrict Litigation (“JPML”) to the MDL Proceeding pursuant to CTO 42;

**WHEREAS** the time for the Manufacturer Defendants to respond to the Complaint has not yet elapsed;

**WHEREAS** good cause exists to enlarge the time for the Manufacturer Defendants to respond to the Complaint: Plaintiff’s time to file a motion to remand this case to state court has

---

of caution, and expressly reserves all defenses, including those related to personal jurisdiction and service of process.

<sup>2</sup> While Plaintiff contends that service has been effectuated and personal jurisdiction lies, Mallinckrodt plc, an Irish public limited company, disputes that it has been served, but joins this stipulation out of an abundance of caution and expressly reserves all defenses, including those related to personal jurisdiction and service of process.

not yet expired, and given the uncertainty as to where this case will proceed (i.e., in the District of New Jersey, the MDL Proceeding, or the Superior Court of New Jersey), and to conserve resources pending this determination, the Manufacturer Defendants have requested, and Plaintiff has consented, to a short extension of time for the Manufacturer Defendants to answer, move, plead, or otherwise respond to Plaintiff's Complaint at this time;

**WHEREAS** this Stipulation and Order is without prejudice to any position of any party with regard to removal, remand, or transfer.

**THEREFORE IT IS HEREBY STIPULATED AND AGREED** by and between the undersigned counsel for Plaintiff and the undersigned counsel for the Manufacturer Defendants, that the Manufacturer Defendants, without waiver of any defenses, shall have through and including thirty-five (35) days after the later of (1) this Court's ruling on any motion to remand, should Plaintiff file one, or (2) the JPML's final decision regarding whether to transfer this case to the MDL, to move, answer, or otherwise respond to the Complaint.

**SO ORDERED**, this \_\_\_\_\_ day of \_\_\_\_\_, 2018

---

Hon. Douglas E. Arpert, U.S.M.J.

Stipulated as to entry and form:

Date: June 28, 2018

/s/ John E. Keefe, Jr.

John E. Keefe, Jr. (# 034081990)  
Jessica S. Allen (# 022471996)  
KEEFE LAW FIRM  
125 Half Mile Road, Suite 100  
Red Bank, New Jersey 07701  
(732) 224-9400

and

Allan Kanner, Esq. (# 033981980)  
Conlee S. Whiteley, Esq.\*  
Allison S. Brouk, Esq.\*  
Caitrin A. Reilly, Esq.\*  
KANNER & WHITELEY, L.L.C.  
701 Camp Street  
New Orleans, Louisiana 70130  
(\*to seek Pro Hac Vice admission)

*Attorneys for Plaintiff Monmouth County*

/s/ Stephen C. Matthews

Stephen C. Matthews, Esq. (# 055801994)  
DLA PIPER LLP (US)  
51 John F. Kennedy Parkway, Suite 120  
Short Hills, New Jersey 07078-2704  
(973) 520-2541  
stephen.matthews@dlapiper.com

Mark S. Cheffo\*

Hayden A. Coleman\*  
DECHERT LLP  
Three Bryant Park  
1095 Avenue of the Americas  
New York, NY 10036-6797  
Tel: (212) 698-3500  
Fax: (212) 698-3599  
markcheffo@dechert.com  
haydencoleman@dechert.com

*\* denotes national counsel who will seek pro hac vice admission*

*Attorneys for Purdue Pharma L.P.; Purdue Pharma Inc.; and The Purdue Frederick Company, Inc.*

/s/ Harvey Bartle

Harvey Bartle, IV, Esq. (# 028792003)  
MORGAN, LEWIS & BOCKIUS LLP  
502 Carnegie Center  
Princeton, New Jersey 08540-6241  
T: (609) 919-6685  
F: (609) 919-6701  
harvey.bartle@morganlewis.com

Steven A. Reed\*  
MORGAN, LEWIS & BOCKIUS LLP  
1701 Market Street  
Philadelphia, PA 19103  
(215) 963-5000  
steven.reed@morganlewis.com

Brian M. Ercole (# 038692003)  
MORGAN, LEWIS & BOCKIUS LLP  
200 S. Biscayne Blvd., Suite 5300  
Miami, FL 33131-2339  
brian.ercole@morganlewis.com

*\* denotes national counsel who will seek pro hac vice admission*

*Attorneys for Teva Pharmaceutical Industries, Ltd.; Teva Pharmaceuticals USA, Inc.; Cephalon, Inc.; Watson Laboratories, Inc.; Actavis LLC; and Actavis Pharma, Inc. f/k/a Watson Pharma, Inc.*

/s/ Eric T. Kanefsky

Eric T. Kanefsky (# 024292002)  
Martin B. Gandelman  
Calcagni & Kanefsky, LLP  
One Newark Center  
1085 Raymond Boulevard, 14th Floor  
Newark, New Jersey 07102  
T. (862) 397-1796  
F. (862) 902-5458

Charles C. Lifland\*  
O'MELVENY & MYERS LLP  
400 S. Hope Street  
Los Angeles, CA 90071  
(213) 430-6000  
clifland@omm.com

*\* denotes national counsel who will seek pro hac vice admission*

*Attorneys for Johnson & Johnson; Janssen Pharmaceuticals, Inc.; Ortho-McNeil-Janssen Pharmaceuticals, Inc. n/k/a Janssen Pharmaceuticals, Inc.*

/s/ Thomas J. Herten

Thomas J. Herten (# 004491974)  
Nicole G. McDonough (NM5221)  
ARCHER & GREINER P.C.  
21 Main Street – Suite 353  
Court Plaza South – West Wing  
Hackensack, NJ 07601  
T: (201) 342-6000  
F: (201) 342-6611  
therten@archerlaw.com  
nmcdonough@archerlaw.com

*Attorney for Endo Health Solutions Inc. and Endo Pharmaceuticals Inc.*

/s/ Benjamin R. Wilson

Benjamin R. Wilson (NJ I.D. No. 030822009)  
HOLLAND & KNIGHT LLP  
31 West 52nd Street  
12th Floor  
New York, NY 10019  
Telephone: 212.513.3200  
Facsimile: 212.385.9010  
benjamin.wilson@hklaw.com

J. Matthew Donohue\* (Trial Attorney)  
Joseph L. Franco\*  
HOLLAND & KNIGHT LLP  
2300 U.S. Bancorp Tower  
111 S.W. Fifth Avenue  
Portland, OR 97204  
Telephone: 503.243.2300  
Facsimile: 503.241.8014  
matt.donohue@hklaw.com  
joe.franco@hklaw.com

*\* denotes national counsel who will seek pro hac vice admission*

*Attorneys for Insys Therapeutics, Inc.*

/s/ Brien T. O'Connor

Brien T. O'Connor\*  
Andrew J. O'Connor\*  
ROPES & GRAY LLP  
Prudential Tower, 800 Boylston Street  
Boston, MA 02199-3600  
Telephone: (617) 235-4650  
Brien.O'Connor@ropesgray.com  
Andrew.O'Connor@ropesgray.com

*\* denotes national counsel who will seek pro hac vice admission*

*Attorneys for Mallinckrodt plc and  
Mallinckrodt LLC*

/s/ John Laurens Wilkes

John Laurens Wilkes\*

JONES DAY

717 Texas

Suite 3300

Houston, TX 77002

832-239-3796

Fax: 832-239-3600

Email: jlwilkes@jonesday.com

*\*denotes national counsel who will seek pro  
hac vice admission*

*Attorneys for AbbVie Inc. and AbbVie  
Products LLC (f/k/a Solvay Pharmaceuticals,  
Inc.*

/s/ Patrick J. Boyle

Patrick J. Boyle (# 036081997)

VENABLE LLP

Rockefeller Center

1270 Avenue of the Americas, 24th Floor

New York, NY 10020

T: (212) 808-5678

F: (212) 307-5598

John A. McCauley\*

Venable LLP

750 E. Pratt Street

Suite 900

Baltimore, MD 21202

T: (410) 244-7655

F: (410) 244-7742

jmccauley@venable.com

*\* denotes national counsel who will seek pro  
hac vice admission*

*Attorneys for Abbott Laboratories and Abbott  
Laboratories, Inc.*

EAST\157358162.3